

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

WP(C).No. 33252 of 2006(H)

PETITIONER:

S.PRAKASH, AGED 55 YEARS,
S/O.LATE MR.SUNDARA VELU PILLAI,
SR.SUPERINTENDENT (RETD.), REGIONAL AUDIT OFFICE,
KSEB, PALAKKAD, KONDODICKAL HOUSE, KANJIRANI,
KALLADIKODE P.O., PALAKKAD DISTRICT.

BY ADV. SRI.P.M.MOHAMMED SHIRAZ

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD,
REP. BY ITS SECRETARY,
VYDYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.
2. THE CHIEF ENGINEER (HRM),
KSEB, VYDYUTHI BHAVAN, PATTOM,
THIRUVANANTHAPURAM.

BY SC SHRI. K.S.ANIL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14/12/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.K. DENESAN, J.

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W.P. (C) No.33252 OF 2006 H
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Dated this the 14th December, 2006

J U D G M E N T

Heard counsel for the petitioner and Legal Liaison Officer for the respondents.

2. The petitioner has retired from the service of the 1st respondent while working as Senior Superintendent. Though seven months are over from the date of retirement, he has not been disbursed the terminal benefits. Feeling aggrieved, this writ petition has been filed.

3. It is seen from the averments in the writ petition that the reason for the delay is the pasting of two pages of his service book by another officer, who was maintaining the service book, but retired from service subsequently. Ext. P2 letter of the Executive Engineer shows that the enquiry conducted into the actual cause for pasting two pages together has not made out any suspectable circumstance or cause; and on verification of other records maintained by the Asst. Accounts Officer it has been found that there is no

foul play or reason to doubt the bonafides.

4. It appears that the respondents are inclined to probe further into the matter, and till then not to disburse the terminal benefits due to the petitioner. As rightly submitted by the counsel for the petitioner, the petitioner was not the custodian of the service book and there is no case that he did anything wrong. Therefore, for no fault of the petitioner, he is denied his right to receive the terminal benefits. Hence, there shall be an order directing the respondents to settle the pensionary claims of the petitioner including sanction of pension, commutation value of pension, gratuity and other claims and to disburse the amount due to him within two months on the petitioner producing a copy of the judgment.

The writ petition is disposed of as above.

K.K. DENESAN
JUDGE

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